

---

**COMBINED DECLARATION AND POWER OF ATTORNEY**  
**(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT,**  
**SUPPLEMENTAL, DIVISIONAL, CONTINUATION, OR C-I-P)**

---

As a below named inventor, I hereby declare that:

**TYPE OF DECLARATION**

This declaration is for a national stage of PCT application.

**INVENTORSHIP IDENTIFICATION**

My residence, post office address and citizenship are as stated below, next to my name. I believe that I am an original, first and joint inventor of the subject matter that is claimed, and for which a patent is sought on the invention entitled:

**TITLE OF INVENTION**

NON-INVASIVE DETECTION OF HELICOBACTER PYLORI INFECTION

**SPECIFICATION IDENTIFICATION**

The specification was described and claimed in PCT International Application No. PCT/US99/26471 filed on November 10, 1999.

**ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR**

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in 37, Code of Federal Regulations, Section 1.56.

**CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S)**  
(35 U.S.C. Section 119(e))

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below:

**PROVISIONAL APPLICATION NUMBER**  
60/108,089

**FILING DATE**  
12 November 1998

**ALL FOREIGN APPLICATION(S), IF ANY, FILED MORE THAN 12 MONTHS**  
**(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

PCT/US99/26471

10 November 1999

# POWER OF ATTORNEY

I hereby appoint the following practitioner(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

## APPOINTED PRACTITIONER(S)

## REGISTRATION NUMBER(S)

John P. Breen

38,833

Robert J. Decker

44,056

Robert S. MacWright

32,425

## SEND CORRESPONDENCE TO

John P. Breen

University of Virginia Patent Foundation

1224 West Main Street, Suite 1-110

Charlottesville, VA 22903

US

## DIRECT TELEPHONE CALLS TO:

John P. Breen

804-243-6103

## DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

## SIGNATURE(S)

Steven Powell

Inventor's signature

Country of Citizenship US

Residence

Post Office Address

Charlottesville, VA US

2175 Anderson Lane, Charlottesville, VA 22911 US

Date

5/11/07

William Gramley

Inventor's signature

Country of Citizenship US

Residence

Post Office Address

Wilmington, NC US

3207 Snowberry Court, Wilmington, NC 28409 US

Date

May-11-01 8:46

804 924 2493 ;

Sent By: UVA Patent Foundation;

**PATENT**

Practitioner's Docket No. 00362-03

**COMBINED DECLARATION AND POWER OF ATTORNEY**  
**(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT,**  
**SUPPLEMENTAL, DIVISIONAL, CONTINUATION, OR C-I-P)**

As a below named inventor, I hereby declare that:

**TYPE OF DECLARATION**

This declaration is for a national stage of PCT application.

**INVENTORSHIP IDENTIFICATION**

My residence, post office address and citizenship are as stated below, next to my name. I believe that I am an original, first and joint inventor of the subject matter that is claimed, and for which a patent is sought on the invention entitled:

**TITLE OF INVENTION**

**NON-INVASIVE DETECTION OF HELICOBACTER PYLORI INFECTION**

**SPECIFICATION IDENTIFICATION**

The specification was described and claimed in PCT International Application No. PCT/US99/26471 filed on November 10, 1999.

**ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR**

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in 37, Code of Federal Regulations, Section 1.56.

**CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S)**  
**(35 U.S.C. Section 119(e))**

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below:

**PROVISIONAL APPLICATION NUMBER**  
60/108,089

**FILING DATE**  
12 November 1998

**ALL FOREIGN APPLICATION(S), IF ANY, FILED MORE THAN 12 MONTHS**  
**(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

10 November 1999

PCT/US99/26471

(Declaration and Power of Attorney--page 1 of 2)

Sent By: UVA Patent Foundation;

804 824 2493 ;

May-11-01 8:44,

**POWER OF ATTORNEY**

I hereby appoint the following practitioner(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

**APPOINTED PRACTITIONER(S)**

**REGISTRATION NUMBER(S)**

John P. Breen

38,833

Robert J. Decker

44,056

Robert S. MacWright

32,425

**SEND CORRESPONDENCE TO**

John P. Breen  
University of Virginia Patent Foundation  
1224 West Main Street, Suite 1-110  
Charlottesville, VA 22903  
US

**DIRECT TELEPHONE CALLS TO:**

John P. Breen  
804-243-6103

**DECLARATION**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**SIGNATURE(S)**

Steven Powell

Inventor's signature

Country of Citizenship US

Residence

Post Office Address

Charlottesville, VA US

2175 Anderson Lane, Charlottesville, VA 22911 US

Date

5/11/01

William Gramley

Inventor's signature

Country of Citizenship US

Residence

Post Office Address


Wilmington, NC US

3207 Snowberry Court, Wilmington, NC 28409 US

Date

5/11/01

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

<i>Attorney</i>		}	<u>Certificate Under 37 CFR 1.10</u>
<i>Docket:</i>	00362-03	}	<u>Date of Deposit: May 11, 2001</u>
		}	I hereby certify that this correspondence is
<i>Applicant:</i>	Steven Powell, et al.	}	being deposited with the United States
		}	Postal Service as "Express Mail" service
<i>Invention:</i>	Non-Invasive Detection of Helicobacter	}	under 37 CFR 1.10 on the date indicated
	Pylori Infection	}	above addressed to Assistant Commissioner
		}	for Patents, Washington, DC 20231.
<i>Serial No:</i>	Not Yet Assigned	}	
		}	
<i>Filed:</i>	May 11, 2001	}	Sue Ann Carr
		}	Express Mail No. ET390189075US

**STATEMENT CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(c-f) and 1.27(b-d))**

Assistant Commissioner for Patents  
Washington, D.C. 20231

With respect to the invention described in the specification filed in PCT/US99/26471 on  
November 10, 1999.

**I. IDENTIFICATION AND RIGHTS AS A SMALL ENTITY.**

I hereby state that I am an official empowered to act on behalf of the University of Virginia Patent Foundation, a nonprofit organization, and that the University of Virginia Patent Foundation is Tax Exempt Under Internal Revenue Service Code (26 USC 501(a) and 501(c) (3)) and that the nonprofit organization identified above qualifies as a nonprofit organization, as defined in 37 CFR 1.9(e), for purposes of paying reduced fees under Sections 41(a) and (b) of Title 35, United States Code.


**II. OWNERSHIP OF INVENTION**

I hereby state that rights under contract or law remain with and/or have been conveyed to the University of Virginia Patent Foundation.

**III. ACKNOWLEDGEMENT OF DUTY TO NOTIFY PTO OF STATUS CHANGE**

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

May 11, 2001

  
John P. Breen, In-House Counsel  
In-House Patent Counsel  
University of Virginia Patent Foundation  
1224 West Main Street, Suite 1-110  
Charlottesville, VA 22903